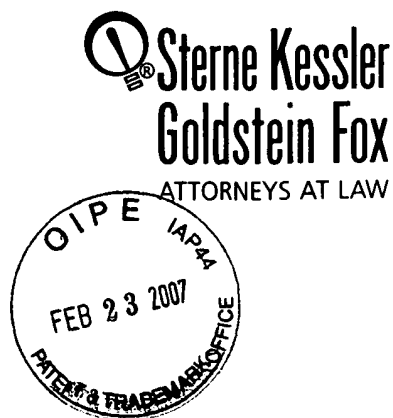


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February 23, 2007

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Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**Art Unit To be assigned**

**Attn: Mail Stop Amendment**

Re: U.S. Utility Patent Application  
Appl. No. 10/560,437 (*U.S. Nat'l Phase of Int'l Appl. No. PCT/EP/2004/006371*)  
Int'l Filing Date: June 14, 2004  
For: **Triazolopyrimidines**  
Inventors: Gebauer *et al.*  
Our Ref: 2400.0100000/JMC/VLC/BLS

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement Under 37 C.F.R. § 1.97(b);
2. Form PTO/SB/08A (1 sheet);
3. Form PTO/SB/08B (1 sheet);
4. Copies of sixteen (16) references (documents FP1 - FP12 and NPL1 - NPL4); and
5. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.


In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
February 23, 2007  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Bryan L. Skelton  
Attorney for Applicants  
Registration No. 50,893

BLS/egw  
Enclosure(s)

645364v1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

GEBAUER *et al.*

Appl. No.: 10/560,437 (Natl. Phase of  
PCT/EP2004/006371)

Filed: December 14, 2005

For: **Triazolopyrimidines**

Confirmation No.: 8860

Art Unit: *To be assigned*

Examiner: *To be assigned*

Atty. Docket: 2400.0100000/JMC/VLC/BLS

**Information Disclosure Statement Under 37 C.F.R. § 1.97(b)**

***Mail Stop Amendment***

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms, PTO/SB/08A and PTO/SB/08B, are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Copies of documents **FP1** to **FP12** and **NPL1** to **NPL4** are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), a copy of U.S. patent application publication, document **US1**, cited on the attached IDS Form PTO/SB/08A is not submitted.

A concise explanation of the relevance of non-English language documents, **FP2**, **FP5**, **FP8**, **FP9**, **FP10**, and **FP12** appears below in accordance with 37 C.F.R. § 1.98(a)(3).

Document **FP2**, DE 38 20 538 A1, is in the German language. It is believed that Document **FP1**, GB 2 206 114 A, is an English language equivalent to document **FP2**.

Document **FP5**, FR 2 765 875, is in the French language. An English language abstract of document **FP5** is attached as Document **NPL4**.

Document **FP8**, WO 02/050077 A2, is in the German language. An English language abstract of document FP8 can be found on the face page of the patent.

Document **FP9**, DE 101 21 162 A1, is in the German language. It is believed that Document **US1**, US 2004/0142943 A1, is an English language equivalent to document FP9.

Document **FP10**, WO 02/088126 A1, is in the German language. An English language abstract of document FP10 can be found on the face page of the patent.

Document **FP12**, WO 2004/011467 A1, is in the Japanese language. An English language abstract of document FP12 can be found on the face page of the patent.

Applicants' would also like to bring to the attention of the Examiner that, for the following document, the volume could not be determined to the best of the Applicants' ability: Chesterfield, J., *et al.*, "Pyrimidines. Part VIII. Halogens and Hydroxing pyrimidines," *J. Chem. Soc.* :3478-3481, Royal Society of Chemistry (1955).

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may

not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. .

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.


This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Bryan L. Skelton  
Attorney for Applicants  
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Date: FEBRUARY 23, 2007

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Equivalent of Form PTO/SB/08A (09-06)  
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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
*(Use as many sheets as necessary)*

Sheet	1	of	1
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***Complete if Known***

Application Number	10/560,437 (Natl. Phase of PCT/EP2004/006371)
\$371 Date	May 12, 2006
First Named Inventor	GEBAUER, Olaf
Art Unit	<i>To be assigned</i>
Examiner Name	<i>To be assigned</i>
Attorney Docket Number	2400.0100000/VLC/BLS

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)			
	FP1	GB 2 206 114 A	12/29/1988	Sandoz Ltd.	
	FP2	DE 38 20 538 A1	01/05/1989	Sandoz-Patent-GmbH	
	FP3	EP 0 613 900 B1	05/14/1997	Shell Internationale Rsearch	
	FP4	EP 0 834 513 A2	04/08/1998	American Cyanamid Company	
	FP5	FR 2 765 875	01/15/1999	American Cyanamid Company	Abs
	FP6	WO 99/32464 A1	07/01/1999	Novartis-Erfindungen Verwaltungsgesellschaft MBH	
	FP7	WO 01/11965 A1	02/22/2001	Aventis Cropscience GmbH	
	FP8	WO 02/050077 A2	06/27/2002	Bayer Aktiengesellschaft	Abs
	FP9	DE 101 21 162 A1	10/31/2002	Bayer AG	
	FP10	WO 02/088126 A1	11/07/2002	Bayer Aktiengesellschaft	Abs
	FFP11	WO 03/039259 A1	05/15/2003	Syngenta Limited and Syngenta Participations AG	
	FP12	WO 2004/011467 A1	02/05/2004	Hokko Chemical Industry Co., Ltd.	Abs

635728v1

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**



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<b>Substitute for form 1449/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/560,437
				Filing Date	May 12, 2006
				First Named Inventor	GEBAUER, Olaf
				Art Unit	To be assigned
				Examiner Name	To be assigned
Sheet	1	of	1	Attorney Docket Number	2400.0100000/VLC/BLS

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	NPL1	Kofman, T.P., <i>et al.</i> , "Methods for the Synthesis of 3-Nitro-5-Chloro-1,2,4-Triazole," <i>Russian J. Org. Chem.</i> 29:1942-1943, Plenum Publishing Corporation (1993)	
	NPL2	Chesterfield, J., <i>et al.</i> , "Pyrimidines. Part VIII. Halogens and Hydroxing pyrimidines," <i>J. Chem. Soc.</i> :3478-3481, Royal Society of Chemistry (1955)	
	NPL3	Wermuth, C.G., ed., "Molecular variations Based on Isosteric Replacements," in: <i>The Practice of Medicinal Chemistry</i> , Academic Press, London, UK, pp.203-237 (1996)	
	NPL4	Dialog File 351, Accession No. 9184705, WPI English language abstract for FR 2 765 875 (listed on accompanying PTO/SB/08A as document FP5)	

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Examiner Signature		Date Considered	
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